**D.B. CRIMINAL BAIL APPLICATION NO. 1160/2004**
**IN**
**D.B. CRIMINAL APEAL NO.1074/04**

Date : 01.03.2005

**HON'BLE MR. B. PRASAD,J .**
**HON'BLE MR. S.P. PATHAK, J.**

Mr. J.P. Chhangani for the applicant
Mr. V.R. Mehta, P.P.

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Heard learned counsel for the appellants and Public Prosecutor.

Looking to the facts and circumstances of the present case, we feel that the suspension application of Vijay Pratap S/o Shri Ramla be rejected and that of accused appellant Smt. Sunita Devi be accepted.

The substantive sentence of accused appellant Smt. Sunita Devi W/o Shri Vijay Pratap Ram is hereby suspended. She shall be enlarged on bail provided she furnishes a personal bond in the sum of Rs. 20,000/- (Rupees twenty thousand only) and two sureties of Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned Additional Sessions Judge (Fast Track) No.1, Jodhpur for her appearance before this Court on the conditions indicated below :-

(i) That she will appear before this Court on 25.4.2005.

(ii) That she will appear before the trial court in the months of January

and June of every year till the appeal is decided.

(iii) That if the appellant changes the place of residence, she will give in writing his changed address to the trial court as well as to his counsel in the High Court.

(iv) Similarly, if the sureties change her address, she will give in writing her changed address to the trial court.

The learned trial court shall keep the record of attendance of the accused-appellant in a separate file. Such file be registered as Criminal Misc. Case related to the Sessions Case in which the accused-appellant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating to pendency and disposal of cases in the trial court. In case the said accused appellant does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

The preparation of paper book in this case is dispensed with and trial court is directed to expedite the trial.

**(S.P. PATHAK), J.** **(B. PRASAD), J.**

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